

ORIGINAL

County of LaSalle, Illinois, Department of Highways and City of Streator,  
Illinois,  
Petitioners,

Vs.

Burlington Northern and Santa Fe Railway Company and State of Illinois,  
Department of Transportation,  
Respondents.

T04-0069

Petition for an Order of the Illinois Commerce Commission authorizing the replacement of the structure where E. Broadway Street goes over the tracks of the Burlington Northern Santa Fe Railway Company and the SB Warehousing, Inc. in Streator, LaSalle County, Illinois, apportioning costs thereof and directing an appropriate portion thereof to be borne by the Grade Crossing Protection Fund.

STAFF BRIEF

At the last hearing in the subject case, held on January 26, 2005, Staff was instructed to file a Brief stating the commitment of the Grade Crossing Protection Fund and indicate what other evidence was needed to be presented in this matter.

The Commission's Crossing Safety Improvement Program 5-Year Plan for fiscal years 2005-2009 includes Grade Crossing Protection Fund (GCPF) assistance in the amount of \$4,482,000 for the project. The GCPF assistance is budgeted to be distributed to the Petitioner in the following manner: \$448,200 in fiscal year 2005 (FY 05); \$2,000,000 in FY 2006; and, \$2,033,800 in FY 2007. (Note: Staff recommends the \$448,200 GCPF contribution be authorized as part of an original Order issued by the Commission in this matter. Subsequent GCPF contributions should be authorized following submittal of supplemental petitions by the County of LaSalle.

Staff recommends that further testimony should be entered by the parties to address the following items:

- The City should submit a detailed estimate of cost for the proposed replacement of the E. Broadway Street Bridge.
- The City should submit evidence to indicate whether or not a Value Engineering Study has been performed for this project. If no Value Engineering Study has been performed, staff recommends that one be conducted in order to determine that the proposed structure is to be constructed by the most efficient and cost-effective methods possible.
- The City should submit evidence to show how the BNSF's 5% share of the project costs, as requested by the City, would be paid, in the event the Administrative Law Judge rules in favor of the railroad.
- The BNSF should submit as evidence a detailed estimated comparison showing the difference in cost to protect existing railroad track circuitry cables during construction of the bridge versus replacement of the existing circuitry with new Electrocode track circuitry, or other design changes that would eliminate the need for the proposed Electrocode circuitry work.

  
Henry Humphries  
Rail Safety Specialist

2/18/05  
Date

DOCKETED

FEB 18 2005

CH/OJ

The following parties of record were serviced a copy of this brief by US Mail this date.

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